

(1) a judicial district where any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

28 U.S.C. § 1391(b).

Plaintiff's motion and complaint reveal that Plaintiff resides in Durham, North Carolina. Plaintiff's complaint indicates that her claims arise out a denial of Social Security disability benefits. The Middle District of North Carolina is the judicial district in which Plaintiff resides, and where a substantial part of the events giving rise to the action took place, rendering venue proper in that district. 28 U.S.C. § 1391(b). Under 28 U.S.C. § 1406(a), a district court may *sua sponte* transfer this case to the appropriate venue. The undersigned RECOMMENDS that Plaintiff's motion to proceed *in forma pauperis* and complaint be transferred to the Middle District of North Carolina, where venue is proper.

SO RECOMMENDED in Chambers at Raleigh, North Carolina on Tuesday, February 14, 2012.



WILLIAM A. WEBB
UNITED STATES MAGISTRATE JUDGE